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9 **UNITED STATES DISTRICT COURT**
10 **NORTHERN DISTRICT OF CALIFORNIA**

11 MICHAEL ZELENY,

12 Plaintiff,

13 vs.

14 GAVIN NEWSOM, *et al.*,

15 Defendants.
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Case No. CV 17-7357 RS

Assigned to:

The Honorable Richard G. Seeborg

Discovery Matters:

The Honorable Thomas S. Hixson

**DECLARATION OF GABRIELLE
BRUCKNER IN SUPPORT OF
PLAINTIFF MICHAEL ZELENY'S
MOTION FOR PARTIAL SUMMARY
JUDGMENT AGAINST THE CITY OF
MENLO PARK AND POLICE CHIEF
DAVE BERTINI**

Date: February 25, 2021

Time: 1:30 p.m.

Courtroom: 3, 17th Floor

Action Filed: December 28, 2017

Trial Date: TBD
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1 I, Gabrielle Bruckner, declare:

2 1. I am a paralegal at Affeld Grivakes LLP, counsel of record to plaintiff Michael
3 Zeleny. I have personal knowledge of the facts below. I could testify competently to these facts if
4 called upon to do so.

5 2. We maintain in our files two digital audio recordings of what I understand was a
6 public hearing relating to this case on August 11, 2016. We also maintain transcripts of those
7 recordings.

8 3. I have reviewed both the recordings and the transcripts. The transcripts are very poor
9 quality. Among other things, they misidentify speakers clearly identified in the recording, misspell
10 obvious words spoken in the recordings – *e.g.*, transcribing “Zeleny” as “Lane” – and omit portions
11 that are clearly discernable.

12 4. As a result, using the recordings themselves and the poor-quality transcripts, I
13 prepared a complete transcription of both recordings. A copy of my transcription is attached as
14 Exhibit 9 to the Declaration of Michael Zeleny submitted concurrently.

15 I declare under penalty of perjury under the laws of the United States that the foregoing is
16 true and correct. Executed January 21, 2021 at Los Angeles, California

17 s/ Gabrielle Bruckner
18 Gabrielle Bruckner
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PROOF OF SERVICE

I hereby certify that on January 21, 2021, I electronically filed the foregoing document using the Court's CM/ECF system. I am informed and believe that the CM/ECF system will send a notice of electronic filing to the interested parties.

s/ Gabrielle Bruckner
Gabrielle Bruckner